# GOVERNMENT OF INDIA
# FOOD PROCESSING INDUSTRIES
# LOK SABHA

UNSTARRED QUESTION NO:5981
ANSWERED ON:11.04.2017
Sub-standard Packaged Food
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**Will the Minister of FOOD PROCESSING INDUSTRIES be pleased to state:**

(a) the steps taken by the Government for regulating the import of sub-standard packaged food;

(b) the regulation put in place for prescribing the labelling format of the imported goods and fixing the MRPs of such imported products; and

(c) the mechanism framed for curbing the production of low quality packed goods by small retailer and manufacturers in the country?

## Answer

(a) As per the information provided by Food Safety and Standards Authority of India (FSSAI) under Ministry of Health and Family Welfare, FSSAI regulates import of food articles at six ports viz. Delhi, Mumbai, Kolkata, Chennai, Cochin and Tuticorin to check for safety and quality of the imported food. It operates an online Food Import Clearance System at these ports which is linked with Indian Customs Electronic Commerce/Electronic Data interchange (EC/EDI) Gateway (ICEGATE) of Customs through Customs Single Window Interface for Facilitating Trade (SWIFT). Food products, including frozen food products, when referred to the FSSAI by the Customs Authorities under risk based sampling (RMS) are subjected to visual inspection, sampling and testing in order to determine whether or not they conform to the safety and minimum quality standards prescribed under various Food Safety and Standards Regulations such as Food Safety and Standards (Food Products Standards and Food Additives) Regulations, 2011, Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011 etc.

Besides the above six ports, there are another 136 locations where Customs authorities have been notified as Authorised Officers for the purposes of regulating food imports at those locations.

(b) The labelling requirements for imported food items are covered under Food Safety and Standards (Packaging and Labelling) Regulations, 2011 and Food Safety and Standards (Import) Regulations, 2017.

Further, Ministry of Consumer Affairs, Food & Public Distribution have informed that under the Legal Metrology (Packaged Commodities) Rules, 2011 it is mandatory to declare the Name and address of the manufacturer/ packer/ importer, Name of the Commodity, Net quantity, month and year of manufacturing/ packing/ importing, Retail sale price and consumer care details to protect the interest

of consumers. Further, the place where the declaration should be given and size of declarations are prescribed under rule 7 & 8 of the said rules. However, importers are allowed to affix a label for making declaration required under these rules. As far as fixing of MRP is concerned, Maximum Retail Price (MRP) declared on various pre-packaged commodities is determined by the manufacturing companies themselves. Competition in market place determines the sale price of a commodity, depending on demand, availability and quality.

(c) It has been informed by FSSAI that they have prescribed food standards for most of the food categories under Food safety and Standards (Food Products Standards and Food Additives) Regulations, 2011. These Regulations also contain list of permitted food additives and limits of food additives permitted in food categories.

FSSAI has also prescribed the limits of heavy metals, crop contaminants, pesticides and antibiotics residues in various commodities under Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011

The responsibility and liabilities of Food Business Operators (FBOs) including manufacturers, packers, wholesalers, distributors and sellers are prescribed under Section 26 and Section 27 respectively of the Food Safety and Standards Act, 2006.

Schedule 4 of the Food Safety and Standards (Licensing and Registration) Regulations 2011 prescribe the sanitary and hygiene practices required to be observed by the FBOs.

The implementation and enforcement of the provisions of Food Safety and Standards Act, 2006 and Rules and Regulations made thereunder primarily rests with the State/UT Governments.

Food Safety and Standards Authority of India regularly follows up with the State authorities through intermittent communications and interactions during the meetings of the Central Advisory Committee in which Commissioners of Food Safety of all States and UTs are represented, for effective implementation of the provisions FSS Act and Rules and Regulations made thereunder.

Regular surveillance, monitoring, inspection and random sampling of food products are undertaken by the officials of Food Safety Departments of the respective States/ UTs to check that they comply with the standards laid down under Food Safety and Standards Act, 2006, and the rules and regulations made thereunder. In cases where the food samples are found to be non-conforming, recourse is taken to penal provisions under Chapter IX of the Food Safety and Standards Act, 2006.